

Opposition Mounts Against President Trump's National Emergency to Build a Border Wall

Today, the House will vote on a joint resolution to terminate President Trump's declaration of a national emergency at the southern border. Opposition is building to the President's decision to circumvent the Constitution in order to build a border wall that Congress has refused to fund.

In 2014, President Trump publically opposed the Executive taking action to subvert Congress:



Donald J. Trump ✓
@realDonaldTrump

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Repubs must not allow Pres Obama to subvert the Constitution of the US for his own benefit & because he is unable to negotiate w/ Congress.

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A majority of the American people disapprove of President Trump's declaration, according to a number of recent polls.

[NPR/PBS/Marist poll](#), February 19:

- Nearly 6-in-10 Americans don't believe there is an emergency at the southern border.
- 60% think his decision should be challenged in the courts, including 60% of independents.
- 57 % think Trump is misusing his presidential power.
- 54 % say this decision makes them less likely to vote for Trump in 2020.

[Politico/Morning Consult](#), February 20:

- 51% disapprove of President Trump's decision to declare a national emergency.
- 50% believe [declaring a national emergency] was "an abuse of power."

[Hill-Harris X poll](#), February 21:

- 59% think President Trump used his emergency powers inappropriately.
- 59% also believe that his decision is likely to be struck down by the courts.

A group of 58 former national security officials from both parties have [issued a statement](#) explaining that "there is no factual basis" for President Trump's declaration:

"Under no plausible assessment of the evidence is there a national emergency today that entitles the president to tap into funds appropriated for other purposes to build a wall at the southern border... A wall is unnecessary to support the use of the armed forces." [Washington Post, [2/25/19](#)]

Twenty-three former Republican lawmakers have written an [open letter](#) to House and Senate Republicans condemning the declaration and urging passage of a joint resolution to terminate it:

"If you allow a president to ignore Congress, it will be not your authority but that of your constituents that is deprived of the protections of true representative government... How much are you willing to undermine both the Constitution and the Congress in order to advance a policy outcome that by all other legitimate means is not achievable?...We who have served where you serve now call on you to honor

your oath of office and to protect the Constitution and the responsibilities it vested in Congress. We ask that you pass a joint resolution terminating the emergency declared by the President..." [2/25/19]

Three Senators have said they will vote for the resolution:

Senator Thom Tillis (R-NC): "[President Trump's] national emergency declaration on Feb. 15 was not the right answer... I have grave concerns when our institution looks the other way at the expense of weakening Congress's power." [Washington Post Op-ed, 2/25/19]

Senator Lisa Murkowski (R-AK): "I will likely be supporting the resolution to disapprove of the action." [The Hill, 2/25/19]

Senator Susan Collins (R-ME): "If it's a 'clean' disapproval resolution, I will support it... I am strongly opposed to the president invoking his national emergency powers. I don't believe that's what the law was intended to cover." [The Hill, 2/20/19]

Members of the President's party have expressed opposition to his emergency declaration:

Senator Chuck Grassley (R-IA): "I wish he wouldn't have done it... If [Trump] figures that Congress didn't do enough and he's got to do it, then I imagine we'll find out whether he's got the authority to do it by the courts." [Politico, 2/14/19]

Senator Rand Paul (R-KY): "I'm not in favor of operating government by national emergency... We have a government that has a constitution that has a division of power, and revenue raising and spending power was given to Congress." [Tweet, 2/14/19]

Senator Lamar Alexander (R-TN): He "lambasted Trump's emergency declaration as 'unnecessary, unwise and inconsistent with the U.S. Constitution.'" [The Hill, 2/16/19]

Senator Mitt Romney (R-UT): "I do not believe declaring a national emergency is the right approach. I would also expect the President to stay within statutory and constitutional limits." [Statement, 2/14/19]

Senator Ben Sasse (R-NE): "If we get used to presidents just declaring an emergency any time they can't get what they want from Congress, it will be almost impossible to go back to a Constitutional system of checks and balances. Over the past decades, the legislative branch has given away too much power and the executive branch has taken too much power." [National Review, 2/15/19]

Senator Pat Toomey (R-PA): "I never thought that was a good idea. I still don't. My view is that this is better to be resolved through the legislative process." [Tweet, 2/14/19]

Senator Marco Rubio (R-FL): "I don't think it's a good idea to do it this way. I don't believe that's the way we should do these sorts of things. I actually think there's a real constitutional question about it." [Tweet, 2/14/19]

Senator Mike Lee (R-UT): "Whether or not it should be legal is a different matter. Congress has been ceding far too much power to the exec. branch for decades. We should use this moment as an opportunity to start taking that power back." [Tweet, 2/15/19]

Sen. James Lankford (R-OK): "[Senator Lankford] voiced his concern with President Donald Trump declaring a national emergency at the border, citing the possibility it gets 'caught up in the courts.'" [Breitbart, 2/13/19]

Senator Ron Johnson (R-WI): “It would be a pretty dramatic expansion of how this was used in the past.” [Tweet, [2/14/19](#)]

Senator Rob Portman (R-OH): “As I have said before, I would prefer we work together to find a legislative solution instead of declaring a national emergency that will likely be tied up in the courts.” [Statement, [2/14/19](#)]

Senator Jerry Moran (R-KS): “I’m worried that if it gets used this time, what’s the next instance in which it becomes used?” [Washington Times, [2/17/19](#)]

Senator Pat Roberts (R-KS): Roberts said he worries about ‘government by fiat’ in the future.” [Washington Times, [2/17/19](#)]

Rep. Greg Walden (R-OR): “Congress has granted the executive branch certain spending authorities. I strongly object to any president acting outside of those explicit authorities to spend money that Congress has not appropriated for specific initiatives.” [The Hill, [2/16/19](#)]

Rep. Herrera Butler (R-WA): “An emergency declaration would set a dangerous precedent... Declaring an emergency in such a situation would undermine that system [of checks and balances] in a way that even those who support strong border security may later deeply regret.” [Statement, [2/14/19](#)]

Rep. Chris Stewart (R-UT): “I think President Trump is making a mistake by declaring a national emergency in order to increase border funding...” [Statement, [2/14/19](#)]

Governor Ricardo Rosselló (PR): “Is it now Puerto Rico and California (American Citizens) that will pay for the wall? If this is the case, we’ll see you in court.” [Tweet, [2/14/19](#)]

And other Senate Republicans previously urged President Trump to not declare a national emergency:

Senate Majority Leader Mitch McConnell (R-KY): “I don’t think much of that idea [to declare a national emergency]...I hope he doesn’t go down that path.” [New York Times, [1/22/19](#)]

Senate Republican Whip John Thune (R-SD): “He hoped a unilateral move by the president would be a ‘last resort... We don’t think that’s necessary... There are concerns and our members are conveying those.’” [Politico, [2/4/19](#)]

Senator John Cornyn (R-TX): “The president’s going to get sued and it won’t succeed in accomplishing his goal ... Pelosi will introduce a resolution of disapproval that will pass the House and come over here and divide Republicans...It strikes me as not a great strategy.” [Politico, [2/4/19](#)]

Senator Roy Blunt (R-MO): “While I’m in favor of what this president wants to do [on the border wall], I think it sets a dangerous precedent and I hope he doesn’t do it.” [Politico, [2/4/19](#)]

There is not a crisis at our southern border, and Democrats will continue to urge House and Senate Republicans to stand up for the Constitution by voting to terminate this unlawful declaration.